

RESOLUTION 2024-029
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL
AGREEMENT BETWEEN THE CITY OF FORT COLLINS, THE CITY OF
LOVELAND, AND THE FORT COLLINS-LOVELAND WATER DISTRICT
FOR THE PURCHASE OF A WATER TAP FOR THE NEW TERMINAL
AT THE NORTHERN COLORADO REGIONAL AIRPORT

A. The Cities of Loveland and Fort Collins (collectively, the “Cities,” and “Loveland” or “Fort Collins” individually) jointly own and operate the public airport known as the Northern Colorado Regional Airport (the “Airport”) pursuant to an Amended and Restated Intergovernmental Agreement for the Joint Operation of the Airport entered into on January 22, 2015, and amended on June 7, 2016.

B. The ongoing construction of the Airport’s new terminal facility project requires that a water tap be installed to provide water service to the terminal.

C. The Fort Collins-Loveland Water District (the “District”) will provide water service to the terminal and has offered to sell the water tap to the Cities for \$586,088, which amount is based upon the District’s willingness to offer the water tap to the Cities at 2023 rates.

D. The District requires the Cities to execute a Memorandum of Agreement for Purchase of Water Tap (“MOA”), in substantially the form attached hereto as Exhibit “A” and incorporated herein, and which is an intergovernmental agreement that sets forth the terms and conditions for the purchase of the water tap.

E. City Code Section 1-22 authorizes City Council to approve the execution of intergovernmental agreements by ordinance or resolution.

F. The City Council desires to authorize the City Manager, in consultation with the City Attorney, to execute the MOA on behalf of Fort Collins in substantially similar form to “Exhibit A.”

G. The MOA will allow the Cities to acquire from the District the water tap that is necessary for water service to the Airport’s new terminal, which is in the best interests of the City and beneficial to the users of the Airport and the northern Colorado region at large.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT that the City Manager is hereby authorized, following consultation with the City Attorney, to execute the MOA in substantially similar form to “Exhibit A” subject to modifications as deemed necessary to protect the interests of the City of Fort Collins or to effectuate the purposes of this Resolution.

Passed and adopted on March 19, 2024.

Mayor

ATTEST:

Interim City Clerk

Effective Date: March 19, 2024
Approving Attorney: Ryan Malarky